

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): SITRICK, David)

For: User Image Integration and
Tracking for an Audiovisual
Presentation System and
Methodology)

Serial Number: 09/184,600)

Date Filed: 11/2/1998)

Patent Number: 6,425,825)

Date Issued: 07/30/2002)

Attorney Docket: STD 1716)

**CERTIFICATE OF
TRANSMISSION UNDER 37 CFR****1.8**I hereby certify that this
correspondence is being facsimile
transmitted to: 703.872.9306 at the
United States Patent and Trademark
Office on September 13, 2004.
name: Elise L. Corrado

(3 pages total)

**NOTICE OF CHANGE IN ENTITY STATUS AND
PAYMENT OF FEE DEFICIENCIES UNDER 37 CFR 1.28(c)**Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**RECEIVED**

NOV 10 2004

OFFICE OF PETITIONS

Dear Sir:

Applicant hereby states that he has recently discovered that by unintentional error on his part, the Office was not notified of a change in status subsequent to Applicant's licensing of the above-referenced patent. This Application was filed with the filing fee paid as a large entity status. As part of a preliminary Amendment, the small entity box on the fee transmittal form was checked by mistake, in good faith. Thereafter, during the prosecution of the instant patent, Applicant paid all requisite fees, in good faith, as a small entity.

On August 13, 1998, Applicant licensed the parent of the instant patent to Nintendo of America, Inc. From that date forward, all fees regarding the instant patent should have been calculated according to a large entity status. However, Applicant paid four (4) extra claim fees, one-month extension fee, a terminal disclaimer fee and an issue fee on this patent that were calculated and paid according to a small entity status. These fees were paid in good faith, but were inadvertently miscalculated. As set forth in the accompanying Declarations of Ms. Judith

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IN RE PATENT
 Patent Number: 6,425,825
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L. Goldberg and Ms. Elise L. Corrado, the miscalculations of fees were inadvertent and unintentional.

37 CFR 1.28(c) provides that if small entity fees are paid in good faith, and it is later discovered that through error the Patent and Trademark Office was not notified of a change in entity status, "the error will be excused upon payment of the deficiency between the amount paid and the amount owed." As set forth in the accompanying Declarations of Ms. Goldberg and Ms. Corrado, any deficiency in the payment of fees was inadvertent and unintentional.

Therefore, Applicant hereby submits this petition in compliance with the submission and itemization requirements of MPEP 509.03, 37 CFR 1.28(c)(1) and (c)(2). Following is an itemization, as required by MPEP 509.03 and 37 CFR 1.28(c)(2), listing the fee amounts paid by Applicant and re-calculated using the appropriate current fee amounts.

Fee Type Erroneously Paid as Small Entity	Date Fee was Erroneously Paid as Small Entity	Amount of Erroneously Paid Small Entity Fee	Current Large Entity Fee Amount	Deficiency Owed
Extra Claims Fee – (Total 13, 6 Independent) Preliminary Amendment	08/03/1999	\$351.00	\$750.00	\$399.00
Terminal Disclaimer Fee - Supplemental Preliminary Amendment	08/19/1999	\$55.00	\$110.00	\$55.00
Extra Claims Fee – (Total 21, 6 Independent) Second Supplemental Preliminary Amendment	11/15/1999	\$423.00	\$894.00	\$471.00
Petition for One Month Extension of Time – Fee – Amendment A	03/22/2001	\$55.00	\$110.00	\$55.00
Extra Claim Fee – (1 Total, 0 Independent) Amendment A	03/22/2001	\$9.00	\$18.00	\$9.00
Extra Claim Fee – (1 total, 0 Independent) Amendment B	09/14/2001	\$9.00	\$18.00	\$9.00
Issue Fee	02/25/2002	\$640.00	\$1,330.00	\$690.00
Total Deficiencies Owed:				\$1,688.00

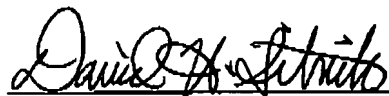
IN RE PATENT
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Pursuant to 37 CFR 1.28(c), Applicant hereby submits the deficiency payment required. The deficiency amount owed under 37 CFR 1.28(c) has been calculated using today's date, September 7, 2004, on which date the deficiency is hereby paid in full via this Notice authorizing the Commissioner to charge any additional fees and credit any overpayments during the term of this patent to Deposit Account Number 501166. Deficiency fees due in the amount of \$1,688.00 are hereby paid in full.

Applicant submits that he has complied with 37 CFR 1.28(c) by submitting the present Notice shortly after the errors in payment of fees were brought to his attention. Applicant respectfully requests that the Office excuse all errors and miscalculations in fees paid in relation to the above-referenced patent as unintentional on the part of Applicant.

The Office is invited to directly communicate with the undersigned, if it will in any way facilitate the prosecution of this matter.

Respectfully submitted,



David H. Sitrick
Attorney for Applicant
Registration No. 29,349

September 13, 2004

SITRICK AND SITRICK
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Skokie, IL 60077
Telephone Number: (847) 677-4411
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CENTRAL FAX CENTER**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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DUPLICATE
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Elise L. Corrado
name: Elise L. Corrado

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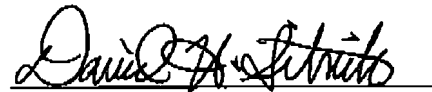
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